

Application No. 09/723,713

Amendment dated November 2, 2004

Amendment Under 37 C.F.R. § 1.116 Expedited Procedure Examining Group

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-32. (Canceled)

33. (Previously Presented) A method of treating a disease characterized by amyloid plaques comprising A $\beta$  peptide, the method comprising administering DNA on multiple occasions in an effective regime to a patient, wherein the DNA encodes heavy and light antibody chains, the DNA being linked to promoter and enhancer elements, the DNA is expressed to produce an antibody and the antibody reduces levels of A $\beta$  in the brain of the patient, wherein the antibody specifically binds to an epitope within A $\beta$ 1-10, and is a chimeric, humanized or human antibody.

34-55. (Canceled)

56. (Previously Presented) The method of claim 33, wherein the antibody is a single-chain antibody.

57. (Previously Presented) The method of claim 33, wherein the antibody is of IgG1 isotype.

58. (Previously Presented) The method of claim 33, wherein the antibody is expressed in blood cells of the patient.

59. (Previously Presented) The method of claim 58, wherein the DNA encoding the antibody is operably linked to immunoglobulin or CMV promoter and enhancer elements.

60. (Canceled)

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61. (Previously Presented) The method of claim 33, wherein the antibody has the same binding specificity as antibody 10D5.

62. (Canceled)

63. (Previously Presented) The method of claim 33, wherein the DNA is delivered via a virus containing the DNA at a dosage of at least  $10^9$  virions.

64. (Previously Presented) The method of claim 33, wherein the antibody is a chimeric antibody.

65. (Previously Presented) The method of claim 33, wherein the antibody is a humanized antibody.

66. (Previously Presented) The method of claim 33, wherein the antibody is a human antibody.

67. (Previously Presented) The method of claim 33, wherein the antibody is humanized 10D5.

68. (Previously Presented) The method of claim 33, wherein the antibody specifically binds to an epitope within A $\beta$ 1-5.

69. (Previously Presented) The method of claim 33, wherein the dosages are administered once every week, once per every two weeks, once a month, once every 3 to 6 months, or yearly.

70. (Previously Presented) The method of claim 33, wherein the intervals between the occasions are irregular as indicated by measuring blood levels of A $\beta$  in the patient.

71. (Previously Presented) The method of claim 33, wherein a further dosage of the DNA is administered when the level of the antibody in the blood has declined to baseline measurement of the antibody in the patient before administration of the antibody.

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72. (Previously Presented) The method of claim 33, wherein the multiple occasions are over a period of at least six months.

73. (Previously Presented) The method of claim 33, wherein the DNA is administered in naked form.

74. (Previously Presented) The method of claim 33, wherein the DNA is administered intravenously.

75. (Previously Presented) A method of effecting prophylaxis of a disease characterized by amyloid plaques comprising A $\beta$  peptide, the method comprising administering DNA on multiple occasions in an effective regime to a patient, wherein the DNA encodes heavy and light antibody chains, the DNA being linked to promoter and enhancer elements, whereby the DNA is expressed to produce an antibody and the antibody reduces levels of A $\beta$  in the brain of the patient, wherein the antibody specifically binds to an epitope within A $\beta$ 1-10, and is a chimeric, humanized or human antibody.

76. (Previously Presented) The method of claim 75, wherein the antibody is a single-chain antibody.

77. (Previously Presented) The method of claim 75, wherein the antibody is of IgG1 isotype.

78. (Previously Presented) The method of claim 75, wherein the antibody is expressed in blood cells of the patient.

79. (Previously Presented) The method of claim 58, wherein the DNA encoding the antibody is operably linked to immunoglobulin or CMV promoter and enhancer elements.

80. (Previously Presented) The method of claim 75, wherein the antibody has the same binding specificity as antibody 10D5.

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81. (Previously Presented) The method of claim 75, wherein the DNA is delivered via a virus containing the DNA at a dosage of at least  $10^9$  virions.

82. (Previously Presented) The method of claim 75, wherein the antibody is a chimeric antibody.

83. (Previously Presented) The method of claim 75, wherein the antibody is a humanized antibody.

84. (Previously Presented) The method of claim 75, wherein the antibody is a human antibody.

85. (Previously Presented) The method of claim 75, wherein the antibody is humanized 10D5.

86. (Previously Presented) The method of claim 75, wherein the antibody specifically binds to an epitope within A $\beta$ 1-5.

87. (Previously Presented) The method of claim 75, wherein the dosages are administered once every week, once per every two weeks, once a month, once every 3 to 6 months, or yearly.

88. (Previously Presented) The method of claim 75, wherein the intervals between the occasions are irregular as indicated by measuring blood levels of A $\beta$  in the patient.

89. (Previously Presented) The method of claim 75, wherein a further dosage of the DNA is administered when the level of the antibody in the blood has declined to baseline measurement of the antibody in the patient before administration of the antibody.

90. (Previously Presented) The method of claim 75, wherein the multiple occasions are over a period of at least six months.

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91. (Previously Presented) The method of claim 75, wherein the DNA is administered in naked form.

92. (Previously Presented) The method of claim 75, wherein the DNA is administered intravenously.

93. (Previously Presented) A method of treating a disease characterized by amyloid plaques comprising A $\beta$  peptide, the method comprising administering DNA in an effective regime to a patient, wherein the DNA encodes heavy and light antibody chains, the DNA being linked to promoter and enhancer elements, whereby the DNA is expressed in blood cells of the patient to produce an antibody and the antibody reduces levels of A $\beta$  in the brain of the patient, wherein the antibody specifically binds to an epitope within A $\beta$ 1-10, and is a chimeric, humanized or human antibody.

94. (Previously Presented) The method of claim 93, wherein the antibody is a single-chain antibody.

95. (Previously Presented) The method of claim 93, wherein the antibody is of IgG1 isotype.

96. (Previously Presented) The method of claim 93, wherein the antibody is expressed in blood cells of the patient.

97. (Previously Presented) The method of claim 96, wherein the DNA encoding the antibody is operably linked to immunoglobulin or CMV promoter and enhancer elements.

98. (Previously Presented) The method of claim 93, wherein the antibody has the same binding specificity as antibody 10D5.

99. (Previously Presented) The method of claim 93, wherein the DNA is delivered via a virus containing the DNA at a dosage of at least  $10^9$  virions.

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100. (Previously Presented) The method of claim 93, wherein the antibody is a chimeric antibody.

101. (Previously Presented) The method of claim 93, wherein the antibody is a humanized antibody.

102. (Previously Presented) The method of claim 93, wherein the antibody is a human antibody.

103. (Previously Presented) The method of claim 93, wherein the antibody is humanized 10D5.

104. (Previously Presented) The method of claim 93, wherein the antibody specifically binds to an epitope within A $\beta$ 1-5.

105. (Currently Amended) The method of claim 93, wherein ~~the dosages~~ dosages are administered once every week, once per every two weeks, once a month, once every 3 to 6 months, or yearly.

106. (Currently Amended) The method of claim 93, wherein ~~the intervals~~ intervals between the occasions are irregular as indicated by measuring blood levels of A $\beta$  in the patient.

107. (Previously Presented) The method of claim 93, wherein a further dosage of the DNA is administered when the level of the antibody in the blood has declined to baseline measurement of the antibody in the patient before administration of the antibody.

108. (Currently Amended) The method of claim 93, wherein the DNA is administered on multiple occasions ~~are over a period of at least six months~~.

109. (Previously Presented) The method of claim 93, wherein the DNA is administered in naked form.

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110. (Previously Presented) The method of claim 93, wherein the DNA is administered intravenously.

111. (Previously Presented) A method of effecting prophylaxis of a disease characterized by amyloid plaques comprising A $\beta$  peptide, the method comprising administering DNA in an effective regime to a patient, wherein the DNA encodes heavy and light antibody chains, the DNA being linked to promoter and enhancer elements, whereby the DNA is expressed in blood cells of the patient to produce an antibody and the antibody reduces levels of A $\beta$  in the brain of the patient, wherein the antibody specifically binds to an epitope within A $\beta$ 1-10, and is a chimeric, humanized or human antibody.

112. (Previously Presented) The method of claim 111, wherein the antibody is a single-chain antibody.

113. (Previously Presented) The method of claim 111, wherein the antibody is of IgG1 isotype.

114. (Previously Presented) The method of claim 111, wherein the antibody is expressed in blood cells of the patient.

115. (Previously Presented) The method of claim 114, wherein the DNA encoding the antibody is operably linked to immunoglobulin or CMV promoter and enhancer elements.

116. (Previously Presented) The method of claim 111, wherein the antibody has the same binding specificity as antibody 10D5.

117. (Previously Presented) The method of claim 111, wherein the DNA is delivered via a virus containing the DNA at a dosage of at least  $10^9$  virions.

118. (Previously Presented) The method of claim 111, wherein the antibody is a chimeric antibody.

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119. (Previously Presented) The method of claim 111, wherein the antibody is a humanized antibody.

120. (Previously Presented) The method of claim 111, wherein the antibody is a human antibody.

121. (Previously Presented) The method of claim 111, wherein the antibody is humanized 10D5.

122. (Previously Presented) The method of claim 111, wherein the antibody specifically binds to an epitope within A $\beta$ 1-5.

123. (Currently Amended) The method of claim 111, wherein the dosages are administered once every week, once per every two weeks, once a month, once every 3 to 6 months, or yearly.

124. (Currently Amended) The method of claim 111, wherein the intervals between the occasions are irregular as indicated by measuring blood levels of A $\beta$  in the patient.

125. (Previously Presented) The method of claim 111, wherein a further dosage of the DNA is administered when the level of the antibody in the blood has declined to baseline measurement of the antibody in the patient before administration of the antibody.

126. (Currently Amended) The method of claim 111, wherein the DNA is administered on multiple occasions ~~are over~~ a period of at least six months.

127. (Previously Presented) The method of claim 111, wherein the DNA is administered in naked form.

128. (Previously Presented) The method of claim 111, wherein the DNA is administered intravenously.



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129. (New) The method of claim 61, wherein the antibody is a chimeric antibody.
130. (New) The method of claim 61, wherein the antibody is a humanized antibody.
131. (New) The method of claim 61, wherein the antibody is a human antibody.
132. (New) The method of claim 68, wherein the antibody is a chimeric antibody.
133. (New) The method of claim 68, wherein the antibody is a humanized antibody.
134. (New) The method of claim 68, wherein the antibody is a human antibody.
135. (New) The method of claim 80, wherein the antibody is a chimeric antibody.
136. (New) The method of claim 80, wherein the antibody is a humanized antibody.
137. (New) The method of claim 80, wherein the antibody is a human antibody.
138. (New) The method of claim 86, wherein the antibody is a chimeric antibody.
139. (New) The method of claim 86, wherein the antibody is a humanized antibody.
140. (New) The method of claim 86, wherein the antibody is a human antibody.
141. (New) The method of claim 98, wherein the antibody is a chimeric antibody.

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142. (New) The method of claim 98, wherein the antibody is a humanized antibody.
143. (New) The method of claim 98, wherein the antibody is a human antibody.
144. (New) The method of claim 104, wherein the antibody is a chimeric antibody.
145. (New) The method of claim 104, wherein the antibody is a humanized antibody.
146. (New) The method of claim 104, wherein the antibody is a human antibody.
147. (New) The method of claim 116, wherein the antibody is a chimeric antibody.
148. (New) The method of claim 116, wherein the antibody is a humanized antibody.
149. (New) The method of claim 116, wherein the antibody is a human antibody.
150. (New) The method of claim 122, wherein the antibody is a chimeric antibody.
151. (New) The method of claim 122, wherein the antibody is a humanized antibody.
152. (New) The method of claim 122, wherein the antibody is a human antibody.